

INTERNET
FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER**DO NOT WRITE IN THIS SPACE**

Case

08-CA-259174

Date Filed

4/15/20

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Steward Northside Hospital		b. Tel. No. (330) 841-9269
		c. Cell No.
		f. Fax No. (330) 841-9802
d. Address (Street, city, state, and ZIP code) 500 Gypsy Ln OH Youngstown 44504-_____	e. Employer Representative Carol A Snowberger Human Resources Director	
		g. e-Mail Carol.Snowberger@Steward.org
		h. Number of workers employed 44
i. Type of Establishment (factory, mine, wholesaler, etc.) Healthcare Facilities	j. Identify principal product or service Healthcare	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) 5 of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.		

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

--See additional page--

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Peter James Hanlon

Title: MRC Director

SEIU/District 1199 WKO

4a. Address (Street and number, city, state, and ZIP code)

1395 DUBLIN RD

OH Columbus 43215-_____

4b. Tel. No.

(877) 419-7348

4c. Cell No.**4d. Fax No.****4e. e-Mail**

petehanlon@frontier.com

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

SEIU

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By Peter James Hanlon

(signature of representative or person making charge)

Peter James Hanlon

Title: MRC Director

(Print/type name and title or office, if any)

Tel. No.

(877) 419-7348

Office, if any, Cell No.**Fax No.****e-Mail**

petehanlon@frontier.com

1395 DUBLIN RD
Address Columbus OH 43215-

04/15/2020 12:49:15

(date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)**PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

Basis of the Charge

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees by making unilateral changes in terms and conditions of employment.

List Changes	Approximate date of change
unilateral furlough of employee without bargaining	(b) (6), (b) (7)(C) /2020

8(a)(5)

Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees by failing to furnish information requested by the union.

Date of request	Employer representative	List items requested	Date refused
4/3/2020	(b) (6), (b) (7)(C)	copy of furlough letter for (b) (6), (b) (7)(C), etc	N/A - hasn't satisfied request as of 4/15/2020.
4/3/2020	(b) (6), (b) (7)(C)	listing of all deliveries to NSH and who received	not fulfilled as of 4/15/2020
4/3/2020	(b) (6), (b) (7)(C)	listing of who has delivered supplies since 3/30	not fulfilled as of 4/15/2020



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 8
1240 E 9TH ST
STE 1695
CLEVELAND, OH 44199-2086

Agency Website: www.nlrb.gov
Telephone: (216)522-3715
Fax: (216)522-2418

April 28, 2020

Peter James Hanlon, MRC Director
Service Employees International Union/District 1199 WKO
1395 Dublin Rd
Columbus, OH 43215

Re: Steward Northside Hospital
Case 08-CA-259174

Dear Mr. Hanlon:

We have carefully investigated and considered your charge that Steward Northside Hospital has violated the National Labor Relations Act.

Decision to Dismiss: Based on that investigation, I have decided to dismiss your charge because of the lack of cooperation by the Charging Party. In view of your lack of cooperation in investigating this case, I have determined that further proceedings are not warranted at this time and I am dismissing your charge.

Your charge alleges that Steward Northside Hospital violated Sections 8(a)(1) and (5) of the Act by unilaterally furloughing employees without bargaining with the Union and by refusing to provide relevant and necessary information upon the Union's request. As the Charging Party, you bear the burden to present timely evidence in support of your charge. The investigating Board Agent attempted to contact the Union's representative, Peter Hanlon, by telephone on April 15 and 16, 2020 to schedule affidavit testimony and to arrange for the receipt of the Union's evidence in support of the charge allegations. The Board Agent, however, was unable to speak with or leave a voicemail message for Hanlon. By letter e-mailed to Hanlon on April 16, 2020, the Board Agent advised him that the Union's failure to present its evidence by April 24, 2020 would result in a dismissal recommendation for lack of cooperation. To date, the Union has not scheduled a date to present affidavit testimony, nor has it submitted evidence in support of this charge. I am, therefore, refusing to issue complaint in this matter.

If you wish to refile this charge later when you can cooperate in the investigation, you may do so. However, your attention is directed to Section 10(b) of the Act which provides that a charge must be filed with the NLRB and served on the charged party within six months of the conduct alleged to be unlawful.

Charging Party's Right to Appeal: The Charging Party may appeal my decision to the General Counsel of the National Labor Relations Board, through the Office of Appeals.

Means of Filing: You must file your appeal electronically or provide a written statement explaining why electronic submission is not possible or feasible (Written

instructions for the NLRB's E-Filing system and the Terms and Conditions of the NLRB's E-Filing policy are available at www.nlr.gov. See [User Guide](#). A video demonstration which provides [step-by-step instructions](#) and frequently asked questions are also available at www.nlr.gov. If you require additional assistance with E-Filing, please contact E-File@NLRB.gov.

You are encouraged to also submit a complete statement of the facts and reasons why you believe my decision was incorrect. If you cannot file electronically, please send the appeal and your written explanation of why you cannot file electronically to the **General Counsel** at the **National Labor Relations Board, Attn: Office of Appeals, 1015 Half Street SE, Washington, DC 20570-0001**. Unless filed electronically, a copy of the appeal should also be sent to me.

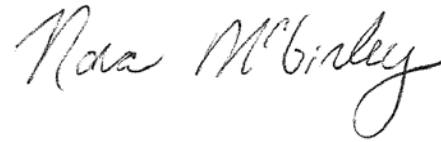
The appeal MAY NOT be filed by fax or email. The Office of Appeals will not process faxed or emailed appeals.

Appeal Due Date: The appeal is due on **May 12, 2020**. If the appeal is filed electronically, the transmission of the entire document through the Agency's website must be completed **no later than 11:59 p.m. Eastern Time** on the due date. If filing by mail or by delivery service an appeal will be found to be timely filed if it is postmarked or given to a delivery service no later than May 11, 2020. **If an appeal is postmarked or given to a delivery service on the due date, it will be rejected as untimely.** If hand delivered, an appeal must be received by the General Counsel in Washington D.C. by 5:00 p.m. Eastern Time on the appeal due date. If an appeal is not submitted in accordance with this paragraph, it will be rejected.

Extension of Time to File Appeal: The General Counsel may allow additional time to file the appeal if the Charging Party provides a good reason for doing so and the request for an extension of time is **received on or before May 12, 2020**. The request may be filed electronically through the *E-File Documents* link on our website www.nlr.gov, by fax to (202)273-4283, by mail, or by delivery service. The General Counsel will not consider any request for an extension of time to file an appeal received after May 12, 2020, **even if it is postmarked or given to the delivery service before the due date**. Unless filed electronically, a copy of the extension of time should also be sent to me.

Confidentiality: We will not honor any claim of confidentiality or privilege or any limitations on our use of appeal statements or supporting evidence beyond those prescribed by the Federal Records Act and the Freedom of Information Act (FOIA). Thus, we may disclose an appeal statement to a party upon request during the processing of the appeal. If the appeal is successful, any statement or material submitted with the appeal may be introduced as evidence at a hearing before an administrative law judge. Because the Federal Records Act requires us to keep copies of case handling documents for some years after a case closes, we may be required by the FOIA to disclose those documents absent an applicable exemption such as those that protect confidential sources, commercial/financial information, or personal privacy interests.

Very truly yours,

A handwritten signature in cursive script that reads "Nora McGinley". The signature is written in dark ink and is positioned above the printed name and title.

NORA F. MCGINLEY
Acting Regional Director

Enclosure

cc: Carol A Snowberger, Human
Resources Director
Steward Northside Hospital
500 Gypsy Ln
Youngstown, OH 44504

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER


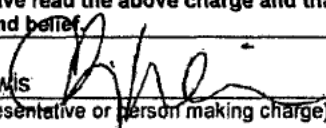
INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
08-CA-256658	2/20/2020

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Steward Trumbull Memorial Hospital, Inc.		b. Tel. No. (330) 841-9269
		c. Cell No.
d. Address (street, city, state ZIP code) 1350 E. Market Street, Warren, Ohio 44483	e. Employer Representative Carol Snowberger	f. Fax No.
		g. e-Mail carol.snowberger@steward.org
		h. Dispute Location (City and State) Warren, Ohio
i. Type of Establishment (factory, nursing home, hotel) Hospital	j. Principal Product or Service Health Care	k. Number of workers at dispute location 182
<p>1. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.</p> <p>2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Within the previous six months, the Employer has failed and refused to bargain in good faith with the Union by creating and posting new positions, and has engaged in direct dealing with bargaining unit members concerning these new positions.</p>		

3. Full name of party filing charge (if labor organization, give full name, including local name and number) SEIU District 1199, WV/KY/OH, The Health Care and Social Service Union					
4a. Address (street and number, city, state, and ZIP code) 1935 Dublin Road, Columbus, Ohio 43215	<table border="1"> <tr> <td>4b. Tel. No. (216) 534-6677</td> </tr> <tr> <td>4c. Cell No.</td> </tr> <tr> <td>4d. Fax No.</td> </tr> <tr> <td>4e. e-Mail clewis@seiu1199.org</td> </tr> </table>	4b. Tel. No. (216) 534-6677	4c. Cell No.	4d. Fax No.	4e. e-Mail clewis@seiu1199.org
4b. Tel. No. (216) 534-6677					
4c. Cell No.					
4d. Fax No.					
4e. e-Mail clewis@seiu1199.org					
					
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) Service Employees International Union					
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	Tel. No. (216) 534-6677				
By: Chrissy Lewis  (signature of representative or person making charge)	Office, if any, Cell No.				
Chrissy Lewis Print Name and Title	Fax No.				
Address: 1935 Dublin Road, Columbus, Ohio 43215	e-Mail clewis@seiu1199.org				
Date: 2/20/2019					

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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(b) (6), (b) (7)(C)



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 8
1240 E 9TH ST
STE 1695
CLEVELAND, OH 44199-2086

Agency Website: www.nlrb.gov
Telephone: (216)522-3715
Fax: (216)522-2418

April 14, 2020

Eugene J. Sullivan III, Esq.
Sullivan and Reed LLP
245 First Street, 18th Floor
Cambridge, MA 02142

Re: Steward Trumbull Memorial Hospital
Case 08-CA-256658

Dear Mr. Sullivan:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

NORA F. MCGINLEY
Regional Director

cc: Chrissy Lewis, Organizer
Service Employees International Union
District 1199 WVKYOH The Health Care
and Social Service Union
1395 Dublin Road
Columbus, OH 43215

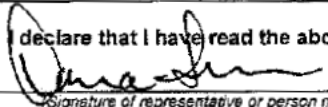
Carol Snowberger, HR Director
Steward Trumbull Memorial
Hospital, Inc.
1350 E Market St
Warren, OH 44481

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 01-CA-248788	Date Filed 9/24/2019

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer Steward Good Samaritan Medical Center		b. Tel. No 508-427-3000
c. Cell No.		
d. Address (street, city, State, ZIP Code) 235 North Pearl Street Brockton, MA 02301	e. Employer Representative Sandra Delliker, Director of Human Resources	f. Fax No. 508-427-3060
g. e-Mail		
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital	j. Identify principal product or service Healthcare	h. Number of workers employed Unknown
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of Section 8(a), subsections (1) and (list subsections) <u>8(a)(5)</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practice) The Employer has repudiated the grievance and arbitration provisions of the parties' collective bargaining agreement by failing and refusing to pay the administrative costs of arbitration, thereby preventing the Charging Party from processing grievances to arbitration, in violation of Section 8(a)(5), and derivatively Section 8(a)(1), of the Act. NOTE: I, Dana Simon, by my signature at the bottom of this ULP, request and authorize you to send all notices pertaining to this ULP directly to the attention of Massachusetts Nurses Association's legal counsel: Alan J. McDonald, McDonald Lamond Canzoneri, 352 Turnpike Road Road, Suite 210, Southborough, Massachusetts 01772-1756.		
3. Full name of party filing charge (if labor organization, give full name, including local name and num.) Massachusetts Nurses Association		4b. Tel. No. 617-756-0110
4a. Address (street and number, city, State, and ZIP Code) 340 Turnpike Street, 2nd Floor, Canton, MA 02021		4c. Cell No.
		4d. Fax No. 781-821-4445
		4e. e-Mail dsimon@mnarn.org
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By  Director of Strategic Campaigns (Signature of representative or person making charge) (Title, if any) Dana Simon Massachusetts Nurses Association Canton Corporate Center 340 Turnpike Street, 2d Floor Canton, MA 02021-2711 (Address) Tel. No. 617-756-0110 Office, if any, Cell No. Fax No. 781-821-4445 e-Mail dsimon@mnarn.org September 24, 2019 (Date)		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
10 Causeway St Fl 6
Boston, MA 02222-1001

Agency Website: www.nlrb.gov
Telephone: (617)565-6700
Fax: (617)565-6725

October 31, 2019

Eugene J. Sullivan III, Esq.
Sullivan and Reed LLP
245 First Street, 18th Floor
Cambridge, MA 02142

Re: STEWARD GOOD SAMARITAN
MEDICAL CENTER
Case 01-CA-248788

Dear Mr. Sullivan:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

Laura A. Sacks

Laura A. Sacks
Regional Attorney

cc: Dana Simon, Director
Massachusetts Nurses Association
340 Turnpike Street, 2nd Floor
Canton, MA 02021

Alan J. McDonald, Esq.
Kristen A. Barnes, Atty.
McDonald Lamond Canzoneri
352 Turnpike Rd Ste 210
Southborough, MA 01772-1756

Sandra Delliker, Director of
Human Resources
Steward Good Samaritan
Medical Center, Inc.
235 North Pearl Street
Brockton, MA 02301

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE

Case

8-CA-247676

Date Filed

9/5/19

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer

Northside Regional Medical Center

b. Tel. No.

c. Cell No.

781-783-7059

f. Fax No.

g. e-mail

rhett.cavicchi@steward.org

h. Number of workers employed

d. Address (Street, city, state, and ZIP code)

500 Gypsy Ln, Youngstown, OH 44504

e. Employer Representative

Rhett Cavicchi, VP of Labor Relations
C/O Good Samaritan Medical Center
824 Oak Street, Suite, 103

Brooklyn, Nk 02301

i. Type of Establishment (factory, mine, wholesaler, etc.)

Hospital

j. Identify principal product or service

health care

The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or about April 9, 2019, and continuing thereafter, the Employer, through its agents and representatives, has failed and refused to provide the Union with information requested which related to a grievance about severance payments made to bargaining unit employees under the parties' negotiated Closure Agreement.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

Ohio Nurses Association

4a. Address (Street and number, city, state, and ZIP code)

3760 Ridge Mill Drive
Hilliard, OH 43026

4b. Tel. No.

(b) (6), (b) (7)(C)

4c. Cell No.

4d. Fax No.

614-969-3888

4e. e-mail

(b) (6), (b) (7)(C)@ohnurses.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

American Federation of Teachers, AFL-CIO

6. DECLARATION

(b) (6), (b) (7)(C) I declare under penalty of perjury that the above charge and that the statements are true to my knowledge and belief.

(b) (6), (b) (7)(C)

(Print/type name and title or office, if any)

3760 Ridge Mill Drive

Address Hilliard, OH 43026

Date

5
9-4-2019 Am

Tel. No.

(b) (6), (b) (7)(C)

Office, if any, Cell No.

Fax No.

614-969-3888

e-mail

(b) (6), (b) (7)(C)@ohnurses.org

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 8
1240 E 9TH ST
STE 1695
CLEVELAND, OH 44199-2086

Agency Website: www.nlrb.gov
Telephone: (216)522-3715
Fax: (216)522-2418

February 20, 2020

Douglas G. Smith, Esq.
Jackson Lewis, P.C.
Liberty Center
1001 Liberty Avenue, Suite 1000
Pittsburgh, PA 15222

Re: Steward Health Care System, Inc. d/b/a
Northside Medical Center
Case 08-CA-247676

Dear Mr. Smith:

The Charging Party has asked to withdraw the above charge based upon a private agreement between the parties. I have approved this request, conditioned on the performance of the undertakings in that private agreement.

The charge is subject to reinstatement for further processing if the Charging Party requests reinstatement and supports its request with evidence of non-compliance with the undertakings in the private agreement.

Very truly yours,

NORA F. MCGINLEY
Acting Regional Director

cc: Rhett Cavicchi, VP of Labor Relations
c/o Good Samaritan Medical Center A
Steward Family Hospital
824 Oak Street, Suite 103
Brockton, MA 02301

Steward Health Care System, Inc. d/b/a
Northside Medical Center
500 Gypsy Ln
Youngstown, OH 44504

Anne Mueller, Labor Representative
Ohio Nurses Association a/w American
Federation of Teachers, AFL-CIO
3760 Ridge Mill Drive
Hilliard, OH 43026

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 01-CA-247333	Date Filed 8/29/2019

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Nashoba Valley Medical Center (A Steward Family Hospital)		b. Tel. No. 978-784-9000
d. Address (street, city, State, ZIP Code) 200 Groton Road Ayer, MA 01432		c. Cell No.
e. Employer Representative Korry Dow, President		f. Fax No. 978-784-9570
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital		g. e-Mail
j. Identify principal product or service Health Care		h. Number of workers employed

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of Section 8(a), subsections (1) and (list subsections) (5) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practice)

See Attachment A

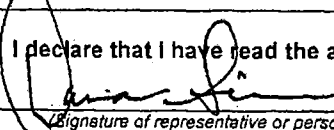
NOTE: I, Dana Simon, by my signature at the bottom of this ULP, request and authorize you to send all notices pertaining to this ULP directly to the attention of Massachusetts Nurses Association's legal counsel: McDonald Lamond Canzoneri 352 Turnpike Road, Suite 210, Southborough, Massachusetts 01772-1756

3. Full name of party filing charge (if labor organization, give full name, including local name and num. Massachusetts Nurses Association	4b. Tel. No. 617-756-0110
4a. Address (street and number, city, State, and ZIP Code) Canton Corporate Center, 340 Turnpike Street, 2d Floor, Canton, Massachusetts 02021	4c. Cell No.
	4d. Fax No. 781-821-4445
	4e. e-Mail dsimon@mnarn.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By  (Signature of representative or person making charge)	Director of Strategic Campaigns (Title, if any)
Dana Simon Massachusetts Nurses Association Canton Corporate Center 340 Turnpike St., 2nd Floor Canton, MA 02021-2711 (Address)	Tel. No. 617-756-0110 Office, if any, Cell No. Fax No. 781-821-4445 e-Mail August 29 2019 (Date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

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ATTACHMENT A

1. Since on or about August 26, 2019, the Employer has unlawfully interfered with, restrained, and coerced bargaining unit employees in the exercise of their rights guaranteed by Section 7 of the National Labor Relations Act ("the Act"), in violation of Section 8(a)(1) of the Act, by threatening to consider closure of the Hospital, without ever having previously raised an alleged inability to pay higher wages or benefits, if the Charging Party does not accept its final offer in ongoing negotiations for a successor collective bargaining agreement.

2. By its actions described in paragraph 1 above, as well as the totality of its conduct during ongoing negotiations for a successor collective bargaining agreement, the Employer has unlawfully failed to bargain in good faith with the Charging Party during ongoing negotiations for a successor collective bargaining agreement in violation of Section 8(a)(5), and derivatively Section 8(a)(1), of the Act.

3. Since on or about August 28, 2019, the Employer has bargained in bad faith by failing and refusing to provide financial information requested by the Charging Party that is relevant and necessary to the Charging Party in assessing the Employer's final offer, including its threat to consider closure of the Hospital if the Charging Party does not accept its final offer, in ongoing negotiations for a successor collective bargaining agreement in violation of Section 8(a)(5), and derivatively Section 8(a)(1), of the Act.

BOSTON, MA 02222-1072
REGION ONE

2019 AUG 29 AM 8:30

NATIONAL LABOR
RELATIONS BOARD
RECEIVED





UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
10 Causeway St Fl 6
Boston, MA 02222-1001

Agency Website: www.nlrb.gov
Telephone: (617)565-6700
Fax: (617)565-6725

October 2, 2019

Howard M. Bloom, Esquire
Jackson Lewis, P.C.
75 Park Plaza, 4th Floor
Boston, MA 02116-3941

Re: NASHOBA VALLEY MEDICAL CENTER,
A STEWARD FAMILY HOSPITAL
Case 01-CA-247333

Dear Mr. Bloom:

The Charging Party has asked to withdraw the above charge based upon a private agreement between the parties. I have approved this request, conditioned on the performance of the undertakings in that private agreement.

The charge is subject to reinstatement for further processing if the Charging Party requests reinstatement and supports its request with evidence of non-compliance with the undertakings in the private agreement.

Very truly yours,

Laura A. Sacks

Laura A. Sacks
Regional Attorney

cc: Korry Dow, President
Nashoba Valley Medical Center,
A Steward Family Hospital
200 Groton Road
Ayer, MA 01432

McDonald Lamond Canzoneri
352 Turnpike Road, Suite 210
Southborough, MA 01772-1756

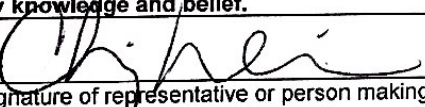
Dana Simon, Director
Massachusetts Nurses Association
340 Turnpike Street, 2nd Floor
Canton, MA 02021

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
08-CA-246501	8/13/19

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer Steward Trumbull Memorial Hospital Inc. d/b/a Steward Health Center Youngstown		b. Tel. No. (330) 841-9269	
		c. Cell No.	
d. Address (street, city, state ZIP code) 500 Gypsy Ln, Youngstown, OH 44504	e. Employer Representative Katie Brown Director of Human Resources		f. Fax No.
			g. e-Mail katie.brown@steward.org
			h. Dispute Location (City and State) Youngstown, OH
i. Type of Establishment (factory, nursing home, hotel) Hospital	j. Principal Product or Service Patient Care	k. Number of workers at dispute location 61	
l. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1), (5) and (d) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Within the previous six months, the Employer failed and refused to bargain in good faith with the union as the collective bargaining representative of its employees by engaging in direct dealing concerning the settlement of grievances			
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Service Employees International Union District 1199 WVKYOH The Health Care and Social Service Union			
4a. Address (street and number, city, state, and ZIP code) 1935 Dublin Road, Columbus, OH 43215		4b. Tel. No. (216) 534-6677	
		4c. Cell No.	
		4d. Fax No.	
		4e. e-Mail clewis@seiu1199.org	
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) Service Employees International Union District 1199 WVKYOH The Health Care and Social Service Union			
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.		Tel. No. (216) 534-6677	
By  (signature of representative or person making charge)		Office, if any, Cell No.	
Chrissy Lewis, Organizer Print Name and Title		Fax No.	
Address: 1935 Dublin Road, Columbus, OH 43215		e-Mail clewis@seiu1199.org	
Date: 8-12-19			

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 *et seq.* The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 8
1240 E 9TH ST
STE 1695
CLEVELAND, OH 44199-2086

Agency Website: www.nlrb.gov
Telephone: (216)522-3715
Fax: (216)522-2418

September 16, 2019

Katie Brown, Director of Human Resources
Steward Trumbull Memorial Hospital Inc. d/b/a Steward Health Center Youngstown
500 Gypsy Lane
Youngstown, OH 44504

Re: Steward Trumbull Memorial Hospital Inc.
d/b/a Steward Health Center Youngstown
Case 08-CA-246501

Dear Ms. Brown:

This is to advise you that I have approved the withdrawal of the charge in the above matter.

Very truly yours,

/s/ Rudra Choudhury

Rudra Choudhury
Acting Regional Director

RC:cj

cc: Chrissy Lewis, Organizer
Service Employees International Union
District 1199 WVKYOH The Health Care
and Social Service Union
1395 Dublin Road
Columbus, OH 43215

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 01-CA-240410	Date Filed 4/29/2019

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Steward St. Elizabeth's Medical Center		b. Tel. No. (617) 789 3000
		c. Cell No.
d. Address (street, city, State, ZIP Code) 736 Cambridge Street, Boston, MA 02135	e. Employer Representative Rhett Cavicchi, VP of Labor Relations and James Montgomery-Hyde, VP of Human Resources, Steward St. Elizabeth's Med. Ctr.	f. Fax No. g. e-Mail rhett.cavicchi@steward.org and james.montgomery-hyde@steward.org
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital	j. Identify principal product or service Health Care	h. Number of workers employed

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of Section 8(a), subsections (1) and (list subsections) **(5)** of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practice)

Since on or about January 2019, the Employer has failed to provide information that is relevant and necessary to the Charging Party regarding accrual of PTO and PTO cash outs.

NOTE: I, Matthew Roth, by my signature at the bottom of this ULP, request and authorize you to send all notices pertaining to this ULP directly to the attention of Massachusetts Nurses Association's legal counsel: Alan J. McDonald, McDonald Lamond Canzoneri, 352 Turnpike Road, Suite 210, Southborough, Massachusetts 01772-1756

3. Full name of party filing charge (if labor organization, give full name, including local name and number) Massachusetts Nurses Association	4b. Tel. No. (781) 830-5747
	4c. Cell No.
4a. Address (street and number, city, State, and ZIP Code) Canton Corporate Center, 340 Turnpike Street, 2d Floor, Canton, MA 02021	4d. Fax No. (781) 821-4455
	4e. e-Mail

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)
N/A

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.
Associate Director

By 
(Signature of representative or person making charge)

(Title, if any)

**Matthew Roth, Associate Director
Massachusetts Nurses Association
Canton Corporate Center
340 Turnpike Street, 2d Floor
Canton, MA 02021**

Tel. No. **(781) 364-7999 ext. 749**
Office, if any, Cell No.
Fax No. **(781) 821-4455**
e-Mail **mroth@mnarn.org**

April 26, 2019
(Date)

(Address)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. §104 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74842-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT

IN THE MATTER OF

STEWART ST. ELIZABETH'S MEDICAL CENTER OF BOSTON, INC.

Case 01-CA-240410

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING OF NOTICE — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them at the main employee bulletin board at the exit area of the facility cafeteria located at 736 Cambridge Street, Brighton, Massachusetts. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

E-MAILING NOTICE - The Charged Party will email a copy of the signed Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, to all employees who work at Stewart ST. Elizabeth's Medical Center located at 738 Cambridge Street, Brighton, Massachusetts. The message of the e-mail transmitted with the Notice will state: "We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 1 of the National Labor Relations Board in Case 01-CA-240410." The Charged Party will forward a copy of that e-mail, with all of the recipients' e-mail addresses, to the Region's Compliance Officer at megan.millar@nlrb.gov.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), including all allegations covered by the attached Notice to Employees made part of this agreement, and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to said evidence.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes _____
 Initials

No _____
 Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director.

The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement that require it to provide the Union, upon request and in a timely manner relevant and necessary information and to post and email the

Notice, by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will issue a Complaint that includes the allegations covered by the Notice to Employees, as identified above in the Scope of Agreement section, as well as filing and service of the charge(s), commerce facts necessary to establish Board jurisdiction, labor organization status, appropriate bargaining unit (if applicable), and any other allegations the General Counsel would ordinarily plead to establish the unfair labor practices. Thereafter, the General Counsel may file a Motion for Default Judgment with the Board on the allegations of the Complaint. The Charged Party understands and agrees that all of the allegations of the Complaint will be deemed admitted and that it will have waived its right to file an Answer to such Complaint. The only issue that the Charged Party may raise before the Board will be whether it defaulted on the terms of this Settlement Agreement. The General Counsel may seek, and the Board may impose, a full remedy for each unfair labor practice identified in the Notice to Employees. The Board may then, without necessity of trial or any other proceeding, find all allegations of the Complaint to be true and make findings of fact and conclusions of law consistent with those allegations adverse to the Charged Party on all issues raised by the pleadings. The Board may then issue an Order providing a full remedy for the violations found as is appropriate to remedy such violations. The parties further agree that a U.S. Court of Appeals Judgment may be entered enforcing the Board Order ex parte, after service or attempted service upon Charged Party at the last address provided to the General Counsel.

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party STEWARD HEALTH CARE SYSTEM LLC ST. ELIZABETH'S MEDICAL CENTER		Charging Party MASSACHUSETTS NURSES ASSOCIATION	
By:	Name and Title	Date	
/s/ (b) (6), (b) (7)(C)		10/4/19	
(b) (6), (b) (7)(C)			
Print Name and Title below		Print Name and Title below	
Recommended By:		Date	
/s/ Andyeliz Papaleo		10/9/19	
ANDYELIZ PAPALEO			
Field Attorney			
Approved By:		Date	
/s/ Laura A. Sacks		10/8/19	
Laura A. Sacks			
Acting Regional Director, Region 1			

(To be printed and posted on official Board notice form)

SECTION 7 OF THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to interfere with, restrain or coerce you in the exercise of the above rights.

WE WILL NOT, upon request, refuse to bargain in good faith with Massachusetts Nurses Association (the Union) as the exclusive collective-bargaining representative of our employees in the following appropriate unit:

All registered Nurses who are employed and functioning as nurses. Included in the unit are full-time and regular part-time RN employees in the following categories: Staff Nurse; Nurse Practitioner; Care Manager; Clinical Leader; and Instructor/In-Service Education. Included within the unit are any registered Nurse employees of the Medical Center in the above categories while employed by and working for St. Elizabeth's Health Care at Brighton Marine Health Center, Brighton, Massachusetts. Also included in the unit are those registered nurses employed by and working for St. Elizabeth's Health Care at Hanscom.

Registered Nurses currently functioning as Infection Control Nurses or in the Blood Bank as of April 19, 1979, will also be deemed to be included in the unit; provided that if the new RNs are hired into these categories, the parties agree to negotiate over whether such persons would be included or excluded from the unit. Excluded from the unit are the following: Vice President for Patient Care Services; Assistant Vice President for Patient Care Services; Patient Care Director; Assistant Patient Care Director; Administrative Director; Director; Nurse Manager; Assistant Nurse Manager; Administrative Coordinator of Nursing; Clinical Coordinator; Nurse Coordinator; Continuing Care Nurse; Instructor/Natural Family Planning; Employee Health Nurse; Administrative Coordinator of Family Nursing; and Coordinator of Natural Family Planning.

WE WILL NOT unreasonably delay in providing the Union with information that is relevant and necessary to its role as your bargaining representative.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

WE WILL upon request, provide the Union, in a timely fashion, with information that is relevant and necessary to its role as your bargaining representative.

**STEWARD HEALTH CARE SYSTEM LLC
ST. ELIZABETH'S MEDICAL CENTER**

(Employer)

Dated: _____ **By:** _____
(Representative) (Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at <https://www.federalrelay.us/tty> (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.

10 Causeway St Fl 6
Boston, MA 02222-1001

Telephone: (617)565-6700
Hours of Operation: 8:30 a.m. to 5 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD

REGION 1
Thomas P. O'Neill Fed Bldg
10 Causeway St, Room 601
Boston, MA 02222-1001

Agency Website: www.nlrb.gov
Telephone: (617)565-6700
Fax: (617)565-6725

rhett.cavicchi@steward.org
RHETT CAVICCHI
VP OF LABOR RELATIONS
C/O GOOD SAMARITAN MEDICAL CENTER
A STEWARD FAMILY HOSPITAL

Re: STEWARD ST. ELIZABETH'S
MEDICAL CENTER OF BOSTON, INC.
Case 01-CA-240410

Dear Mr. Cavicchi:

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

A handwritten signature in cursive script, reading "Paul J. Murphy".

PAUL J. MURPHY
Acting Regional Director

cc: mroth@mnarn.org
MATTHEW ROTH
ASSOCIATE DIRECTOR
MASSACHUSETTS NURSES
ASSOCIATION

kbarnes@masslaborlawyers.com
KRISTEN A. BARNES, ESQ.
MCDONALD, LAMOND &
CANZONERI

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 01-CA-239885	Date Filed 4/18/2019

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer Steward Good Samaritan Medical Center		b. Tel. No. 508-427-3000
c. Cell No.		
d. Address (street, city, State, ZIP Code) 235 North Pearl Street Brockton, MA 02301	e. Employer Representative Sandra Delliker, Director of Human Resources	f. Fax No. 508-427-3060
g. e-Mail		
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital	j. Identify principal product or service Healthcare	h. Number of workers employed Unknown
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of Section 8(a), subsections (1) and (list subsections) <u>8(a)(3) and (1)</u> of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.		
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor prac. Since on or about March 8, 2019, the Employer, has failed and refused to respond to Charging Party's request for information relevant and necessary to investigate written warning and suspension without cause grievance against a bargaining unit member. <i>JS</i>		
NOTE: I, Dana Simon, by my signature at the bottom of this ULP, request and authorize you to send all notices pertaining to this ULP directly to the attention of Massachusetts Nurses Association's legal counsel: Alan J. McDonald, McDonald Lamond Canzoneri, 352 Turnpike Road Road, Suite 210, Southborough, Massachusetts 01772-1756.		
3. Full name of party filing charge (if labor organization, give full name, including local name and num. Massachusetts Nurses Association		4b. Tel. No.
4a. Address (street and number, city, State, and ZIP Code) 340 Turnpike Street, 2nd Floor, Canton, MA 02021		4c. Cell No.
		4d. Fax No.
		4e. e-Mail
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)		
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By <u><i>Dana Simon</i> 4/17/2019</u> Director (Signature of representative or person making charge) (Title, if any) Dana Simon Massachusetts Nurses Association 340 Turnpike Street, 2nd Floor Canton, MA 02021 (Address) Tel. No. <u>617-756-7010</u> Office, if any, Cell No. Fax No. e-Mail <u>dsimon@mnarn.org</u> (City)		

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. §151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74642-43 (Dec. 12, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 1
Thomas P. O'Neill Fed Bldg
10 Causeway St, Room 601
Boston, MA 02222-1001

Agency Website: www.nlr.gov
Telephone: (617)565-6700
Fax: (617)565-6725

May 21, 2020

jay@sullivanandreed.com
EUGENE J. SULLIVAN III, ESQ.
SULLIVAN AND REED LLP

Re: STEWARD GOOD SAMARITAN MEDICAL
CENTER, INC.
Case 01-CA-239885

Dear Mr. Sullivan:

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

PAUL J. MURPHY
Acting Regional Director

cc: sandra.dellicker@steward.org
SANDRA DELLIKER, DIRECTOR OF
HUMAN RESOURCES
STEWARD GOOD SAMARITAN
MEDICAL CENTER

amcdonald@masslaborlawyers.com
ALAN J MCDONALD
azimmon@masslaborlawyers.com
ALLISON J. ZIMMON, ATTY.
MCDONALD LAMOND CANZONERI

dsimon@mnarn.org
DANA SIMON, DIRECTOR
MASSACHUSETTS NURSES
ASSOCIATION

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT

IN THE MATTER OF
STEWARD GOOD SAMARITAN MEDICAL CENTER, INC.

Case 01-CA-239885

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING OF NOTICE — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them in the bulletin board outside the facility cafeteria located at 235 North Pearl Street, Brockton, Massachusetts. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

E-MAILING NOTICE - The Charged Party will email a copy of the signed Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, to all bargaining unit employees who work at Steward Good Samaritan Medical Center located at 235 North Pearl Street, Brockton, Massachusetts. The message of the e-mail transmitted with the Notice will state: “We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 1 of the National Labor Relations Board in Case 01-CA-239885.” The Charged Party will forward a copy of that e-mail, with all of the recipients’ e-mail addresses, to the Region’s Compliance Officer at megan.millar@nrlb.gov.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to that evidence. By approving this Agreement the Regional Director withdraws any Complaint(s) and Notice(s) of Hearing previously issued in the above case(s), and the Charged Party withdraws any answer(s) filed in response.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes _____
Initials

No _____
Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director. The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will reissue the complaint previously issued on October 4, 2019 in the instant case(s).

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party STEWARD GOOD SAMARITAN MEDICAL CENTER, INC.		Charging Party MASSACHUSETTS NURSES ASSOCIATION	
By: Name and Title	Date	By: Name and Title	Date
/s/ (b) (6), (b) (7)(C)	1/10/2020	/s/ Dana Simon	1/10/2020
Print Name and Title below		Print Name and Title below	

Recommended By:	Date	Approved By:	Date
/s/ Andyeliz Papaleo	1/14/2020	/s/ Paul J. Murphy	1/14/2020
ANDYELIZ PAPALEO		PAUL J. MURPHY	
Field Attorney		Acting Regional Director, Region 1	

(To be printed and posted on official Board notice form)

THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to interfere with, retrain or coerce you in the exercise of the above rights.

WE WILL NOT, upon request, refuse to bargain in good faith with Massachusetts Nurses Association (the Union) as the exclusive collective-bargaining representative of our employees in the following appropriate unit:

All full-time and regular part-time health care professional employees employed at the Brockton, Stoughton and Foxboro sites including staff nurses, NORCAP nurse practitioners, clinical research nurses, oncology nurses, radiology nurses, speech language pathologist, social workers (BSW), social workers (MSW), physical therapists, clinical staff pharmacists, occupational therapists, medical technologists, case managers, infection control nurses, staff development instructors, senior physical therapists, nurse clinicians, endoscopy nurses, NORCAP counselors and evaluators, but excluding all other employees, temporaries, contingency employees, social worker supervisors, educational resource nurses, quality improvement coordinators, clinical application specialist nurses, confidential employees, guards, and supervisors as defined in the Act.

WE WILL NOT refuse to provide the Union with information that is relevant and necessary to its role as your bargaining representative.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

WE WILL upon request, provide the Union, in a timely fashion, with information that is relevant and necessary to its role as your bargaining representative.

WE WILL provide the Union with all information it requested on March 28, 2019, regarding the suspension and discipline of unit member (b) (6), (b) (7)(C).

**STEWARD GOOD SAMARITAN MEDICAL
CENTER, INC.**

(Employer)

Dated: _____ **By:** _____
(Representative) (Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at <https://www.federalrelay.us/tty> (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.

10 Causeway St Fl 6
Boston, MA 02222-1001

Telephone: (617)565-6700
Hours of Operation: 8:30 a.m. to 5 p.m.

THIS IS AN OFFICIAL NOTICE AND MUST NOT BE DEFACED BY ANYONE

This notice must remain posted for 60 consecutive days from the date of posting and must not be altered, defaced or covered by any other material. Any questions concerning this notice or compliance with its provisions may be directed to the above Regional Office's Compliance Officer.

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 01-CA-238438	Date Filed 3/27/2019

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT		
a. Name of Employer Steward Morton Hospital	b. Tel. No. 508-828-7050	c. Cell No.
d. Address (street, city, State, ZIP Code) 88 Washington Street, Taunton, MA 02780	e. Employer Representative Suzie Figueiredo, Director of Human Resources	f. Fax No. 508-828-9836
	g. e-Mail Suzie.Figueiredo@steward.org	
i. Type of Establishment (factory, mine, wholesaler, etc.) Hospital	j. Identify principal product or service Healthcare	h. Number of workers employed

k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of Section 8(a), subsections (1) and (list subsections) 8(a)(5) of the National Labor Relations Act, and these unfair labor practices are unfair practices affecting commerce within the meaning of the Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor prac.

The Employer has failed to provide information relevant and necessary to the Union in evaluating and processing a grievance regarding the discipline of a bargaining unit member.

Note: I, Deb Rigiero, by my signature at the bottom of this ULP request and authorize you to send all notices pertaining to this ULP directly to the attention of MNA's legal counsel: Kristen A. Barnes, McDonald Lamond Canzoneri, 352 Turnpike Road, Suite 310, Southborough, MA 01772-1756.

3. Full name of party filing charge (if labor organization, give full name, including local name and num. Massachusetts Nurses Association	4b. Tel. No.
	4c. Cell No. 781-821-4625
4a. Address (street and number, city, State, and ZIP Code) Canton Corporate Center, 340 Turnpike Street, 2d Floor Canton, MA 02021	4d. Fax No. 781-821-4445
	4e. e-Mail drigiero@mnarn.org

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

6. DECLARATION	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
By <u>Deb Rigiero</u> (Signature of representative or person making charge)	Associate Director (Title, if any)
Deb Rigiero Massachusetts Nurses Association Canton Corporate Center 340 Turnpike St., 2nd Floor Canton, MA 02021-2711 (Address)	Tel. No. 781-821-4625 Office, if any, Cell No. Fax No. 781-821-4445 e-Mail drigiero@mnarn.org 3-27-19 (Date)

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
SETTLEMENT AGREEMENT

IN THE MATTER OF

MORTON HOSPITAL, A STEWARD FAMILY HOSPITAL, INC.

Case 01-CA-238438

Subject to the approval of the Regional Director for the National Labor Relations Board, the Charged Party and the Charging Party **HEREBY AGREE TO SETTLE THE ABOVE MATTER AS FOLLOWS:**

POSTING OF NOTICE — After the Regional Director has approved this Agreement, the Regional Office will send copies of the approved Notice to the Charged Party in English and in additional languages if the Regional Director decides that it is appropriate to do so. A responsible official of the Charged Party will then sign and date those Notices and immediately post them at the bulletin board outside the facility cafeteria located at 88 Washington Street, Taunton, Massachusetts. The Charged Party will keep all Notices posted for 60 consecutive days after the initial posting.

E-MAILING NOTICE - The Charged Party will email a copy of the signed Notice in English and in additional languages if the Regional Director decides that it is appropriate to do so, to all bargaining unit employees who work at Morton Hospital located at 88 Washington Street, Taunton, Massachusetts. The message of the e-mail transmitted with the Notice will state: “We are distributing the Attached Notice to Employees to you pursuant to a Settlement Agreement approved by the Regional Director of Region 1 of the National Labor Relations Board in Case 01-CA-238438.” The Charged Party will forward a copy of that e-mail, with all of the recipients’ e-mail addresses, to the Region’s Compliance Officer at megan.millar@nrlrb.gov.

COMPLIANCE WITH NOTICE — The Charged Party will comply with all the terms and provisions of said Notice.

SCOPE OF THE AGREEMENT — This Agreement settles only the allegations in the above-captioned case(s), and does not settle any other case(s) or matters. It does not prevent persons from filing charges, the General Counsel from prosecuting complaints, or the Board and the courts from finding violations with respect to matters that happened before this Agreement was approved regardless of whether General Counsel knew of those matters or could have easily found them out. The General Counsel reserves the right to use the evidence obtained in the investigation and prosecution of the above-captioned case(s) for any relevant purpose in the litigation of this or any other case(s), and a judge, the Board and the courts may make findings of fact and/or conclusions of law with respect to that evidence. By approving this Agreement the Regional Director withdraws any Complaint(s) and Notice(s) of Hearing previously issued in the above case(s), and the Charged Party withdraws any answer(s) filed in response.

PARTIES TO THE AGREEMENT — If the Charging Party fails or refuses to become a party to this Agreement and the Regional Director determines that it will promote the policies of the National Labor Relations Act, the Regional Director may approve the settlement agreement and decline to issue or reissue a Complaint in this matter. If that occurs, this Agreement shall be between the Charged Party and the undersigned Regional Director. In that case, a Charging Party may request review of the decision to approve the Agreement. If the General Counsel does not sustain the Regional Director's approval, this Agreement shall be null and void.

AUTHORIZATION TO PROVIDE COMPLIANCE INFORMATION AND NOTICES DIRECTLY TO CHARGED PARTY — Counsel for the Charged Party authorizes the Regional Office to forward the cover letter describing the general expectations and instructions to achieve compliance, a conformed settlement, original notices and a certification of posting directly to the Charged Party. If such authorization is granted, Counsel will be simultaneously served with a courtesy copy of these documents.

Yes _____
Initials

No _____
Initials

PERFORMANCE — Performance by the Charged Party with the terms and provisions of this Agreement shall commence immediately after the Agreement is approved by the Regional Director, or if the Charging Party does not enter into this Agreement, performance shall commence immediately upon receipt by the Charged Party of notice that no review has been requested or that the General Counsel has sustained the Regional Director.

The Charged Party agrees that in case of non-compliance with any of the terms of this Settlement Agreement by the Charged Party, and after 14 days' notice from the Regional Director of the National Labor Relations Board of such non-compliance without remedy by the Charged Party, the Regional Director will reissue the complaint previously issued on October 4, 2019 in the instant case(s).

NOTIFICATION OF COMPLIANCE — Each party to this Agreement will notify the Regional Director in writing what steps the Charged Party has taken to comply with the Agreement. This notification shall be given within 5 days, and again after 60 days, from the date of the approval of this Agreement. If the Charging Party does not enter into this Agreement, initial notice shall be given within 5 days after notification from the Regional Director that the Charging Party did not request review or that the General Counsel sustained the Regional Director's approval of this agreement. No further action shall be taken in the above captioned case(s) provided that the Charged Party complies with the terms and conditions of this Settlement Agreement and Notice.

Charged Party MORTON HOSPITAL, A STEWARD FAMILY HOSPITAL, INC.		Charging Party MASSACHUSETTS NURSES ASSOCIATION	
By: Name and Title	Date	By: Name and Title	Date
(b) (6), (b) (7)(C) [REDACTED]	1/10/20	/s/ Dana Simon Director of Strategic Campaigns	1/10/20
_____ Print Name and Title below		_____ Print Name and Title below	
Recommended By:	Date	Approved By:	Date
/s/ Andyeliz Papaleo Andyeliz Papaleo, Field Attorney	1/14/20	/s/ Paul J. Murphy Acting Regional Director, Region	1/14/20

(To be printed and posted on official Board notice form)

THE NATIONAL LABOR RELATIONS ACT GIVES YOU THE RIGHT TO:

- Form, join, or assist a union;
- Choose a representative to bargain with us on your behalf;
- Act together with other employees for your benefit and protection;
- Choose not to engage in any of these protected activities.

WE WILL NOT do anything to interfere with, restrain or coerce you in the exercise of the above rights.

WE WILL NOT, upon request, refuse to bargain in good faith with Massachusetts Nurses Association (the Union) as the exclusive collective-bargaining representative of our employees in the following appropriate unit:

All full-time and regular part-time professional employees employed by the Hospital at its 88 Washington Street, Taunton, Massachusetts healthcare facility, including professional per diem employees, but excluding all other employees, physicians, residents, interns, licensed practical nurses and other technical employees, employees in the fiscal and business departments of the Hospital, students, temporary employees, confidential employees, guards, managerial employees and all supervisors as defined in the National Labor Relations Act.

WE WILL NOT refuse to provide the Union with information that is relevant and necessary to its role as your bargaining representative.

WE WILL NOT unreasonably delay in providing the Union with information that is relevant and necessary to its role as your bargaining representative.

WE WILL NOT in any like or related manner interfere with your rights under Section 7 of the Act.

WE WILL upon request, provide the Union, in a timely fashion, with information that is relevant and necessary to its role as your bargaining representative.

**MORTON HOSPITAL, A STEWARD FAMILY
HOSPITAL, INC.**

(Employer)

Dated: _____

By: _____
(Representative) (Title)

The National Labor Relations Board is an independent Federal agency created in 1935 to enforce the National Labor Relations Act. We conduct secret-ballot elections to determine whether employees want union representation and we investigate and remedy unfair labor practices by employers and unions. To find out more about your rights under the Act and how to file a charge or election petition, you may speak confidentially to any agent with the Board's Regional Office set forth below or you may call the Board's toll-free number 1-844-762-NLRB (1-844-762-6572). Hearing impaired callers who wish to speak to an Agency representative should contact the Federal Relay Service (link is external) by visiting its website at <https://www.federalrelay.us/tty> (link is external), calling one of its toll free numbers and asking its Communications Assistant to call our toll free number at 1-844-762-NLRB.

Telephone:

Hours of Operation:

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UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
REGION 1
Thomas P. O'Neill Fed Bldg
10 Causeway St, Room 601
Boston, MA 02222-1001

Agency Website:
www.nlr.gov
Telephone: (617)565-6700
Fax: (617)565-6725

April 15, 2020

Via Email Only

EUGENE J. SULLIVAN III, ESQ.
jay@sullivanandreed.com
SULLIVAN AND REED LLP

Re: MORTON HOSPITAL, A STEWARD
FAMILY HOSPITAL, INC.
Case 01-CA-238438

Dear Mr. Sullivan:

The above-captioned case has been closed on compliance. Please note that the closing is conditioned upon continued observance of the informal Settlement Agreement.

Very truly yours,

PAUL J. MURPHY
Acting Regional Director

cc: DEB RIGIERO, ASSOCIATE DIRECTOR
OF LABOR RELATIONS
driglero@mnarn.org
MASSACHUSETTS NURSES
ASSOCIATION
CANTON CORPORATE CENTER

KRISTEN A. BARNES, ESQ.
MCDONALD, LAMOND & CANZONERI
kbarnes@masslaborlawyers.com

SUZIE FIGUEIREDO, DIRECTOR OF
HUMAN RESOURCES
MORTON HOSPITAL, A STEWARD
FAMILY HOSPITAL, INC.
suzie.figueiredo@steward.org